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Tender

## **Docklands Light Railway Franchise Agreement**

Transport for London

F05: Contract notice – utilities

Notice identifier: 2023/S 000-024510

Procurement identifier (OCID): ocds-h6vhtk-03bc14

Published 21 August 2023, 2:16pm

### **Section I: Contracting entity**

#### **I.1) Name and addresses**

Transport for London

5 ENDEAVOUR SQUARE

LONDON

E201JN

#### **Contact**

Shawn Hill

#### **Email**

[shawnhill@tfl.gov.uk](mailto:shawnhill@tfl.gov.uk)

#### **Telephone**

+44 7811274072

#### **Country**

United Kingdom

**Region code**

UKI - London

**Companies House**

02052677

**Internet address(es)**

Main address

[www.tfl.gov.uk](http://www.tfl.gov.uk)

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUYr9&dard=1&ncdc=1>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUYr9&dard=1&ncdc=1>

**I.6) Main activity**

Urban railway, tramway, trolleybus or bus services

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Docklands Light Railway Franchise Agreement

Reference number

SAP Ariba Reference number WS 1462403387

### **II.1.2) Main CPV code**

- 60210000 - Public transport services by railways

### **II.1.3) Type of contract**

Services

### **II.1.4) Short description**

The contract is a new franchise agreement for the Docklands Light Railway. The contract will cover all aspects of train and passenger service operations over the Docklands Light Railway network and maintenance of associated assets together with a number of ancillary requirements.

### **II.1.5) Estimated total value**

Value excluding VAT: £2,300,000,000

### **II.1.6) Information about lots**

This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 50222000 - Repair and maintenance services of rolling stock
- 50224000 - Reconditioning services of rolling stock
- 50225000 - Railway-track maintenance services
- 60210000 - Public transport services by railways

### **II.2.3) Place of performance**

NUTS codes

- UKI - London

Main site or place of performance

London Docklands and surrounding areas

## **II.2.4) Description of the procurement**

The current franchise expires on 1 April 2025.

The scope of the franchise agreement will include:

- (a) train and passenger service operations over the whole Docklands Light Railway network and management of the automatic train control system; and
- (b) the maintenance of all rolling stock, infrastructure and assets.

The franchisee will be remunerated by a specified fee with a package of incentives for increased performance and deductions for below target performance.

The key objectives, amongst other things, for the new franchise are set out below:

- (a) Customer: the new franchise will continue to drive demand recovery and growth by offering a great customer experience and by promoting a positive perception of TfL and Docklands Light Railway Limited;
- (b) Green: the new franchise will support TfL and Docklands Light Railway Limited in delivering their green goals and driving improvements in environmental performance;
- (c) Colleague: the new franchise will provide good working conditions for colleagues employed in the delivery of the Docklands Light Railway network;
- (d) Finance: the new franchise will optimise the performance and financial efficiency of the Docklands Light Railway network through continuous improvement and innovation, and maintaining flexibility and high levels of collaboration between the new franchisee, Docklands Light Railway Limited and TfL;
- (e) Safety and Security: the new franchise will achieve excellence in safety and security across all aspects of the Docklands Light Railway network; and
- (f) Realising benefits of new investment: alongside investment from His Majesty's Government, Docklands Light Railway Limited is investing in 54 new trains which will grow total capacity of the Docklands Light Railway network by 50 per cent. The new franchise will realise the value from this investment, thereby supporting the next generation of new developments.

## **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

**II.2.6) Estimated value**

Value excluding VAT: £2,300,000,000

**II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

127

This contract is subject to renewal

No

**II.2.9) Information about the limits on the number of candidates to be invited**

Maximum number: 5

Objective criteria for choosing the limited number of candidates:

The selection criteria and process as set out in the Selection Questionnaire.

**II.2.10) Information about variants**

Variants will be accepted: No

**II.2.11) Information about options**

Options: Yes

Description of options

The contract will be for an approximate initial period of eight (8) years with an option for Docklands Light Railway Limited to extend the period by up to approximately twenty four (24) months and a separate option for Docklands Light Railway Limited to extend the period by up to approximately seven (7) months.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

Please refer to the Selection Questionnaire.

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

Please refer to the Selection Questionnaire.

#### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

Please refer to the Selection Questionnaire.

#### **III.1.4) Objective rules and criteria for participation**

List and brief description of rules and criteria

Please refer to the Selection Questionnaire.

#### **III.1.6) Deposits and guarantees required**

Parent company guarantees may be requested. Performance bonds and/or capitalisation of the franchisee (either fixed or contingent) may also be required as an alternative or in addition to parent company guarantees.

#### **III.1.7) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

The franchisee will be remunerated by a specified fee with a package of incentives for increased performance and deductions for below target performance.

#### **III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No particular legal form is required, but if a contract is awarded to a consortium the authority may require the consortium to form a legal entity before entering into the franchise agreement. The authority will also need to understand the governance

arrangements between the parties and how day to day management will be undertaken.

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

As detailed in the procurement documents.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated procedure with prior call for competition

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2023/S 000-009694](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

2 October 2023

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

2 January 2024

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 12 (from the date stated for receipt of tender)

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.3) Additional information**

Respondents should note the following:

This procurement, in spite of the description of procedure at IV.1.1 as a negotiated procedure with prior call for competition, is not a negotiated procedure under the Utilities Contracts Regulations 2016 but is organised as a procurement and conducted in accordance with the requirements of Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road as amended by Regulation (EC) No 1370/2007 (Public Service Obligations in Transport) (Amendment) (EU Exit) Regulations 2020.

In addition:

- (a) The description provided in II.1.4 and the scope described in section II.2.4 represent the current anticipated requirements of Docklands Light Railway Limited. Docklands Light Railway Limited reserves the right to amend the description and/or the scope and/or adjust the duration of the contract as a result of emerging requirements.
- (b) The duration of the contract stated in section II.2.7 is an estimate based on an initial contract period of eight (8) years with an extension of up to twenty four (24) months and a separate extension for up to seven (7) months. Any contract let by Docklands Light Railway Limited may contain provisions that the contract may be extended for the specified period and on the terms of the contract.
- (c) Interested respondents must complete the Selection Questionnaire which can be obtained via the SAP Ariba portal. Further information on the process of accessing SAP Ariba is included at (j) below. Respondents must note that any expression of interest submitted in response to the Periodic Indicative Notice for these services does not apply to this contract notice and the procedure in I.3 and (j) must be followed in order to access the Selection Questionnaire.
- (d) A response to this contract notice does not guarantee that an entity will be invited to tender. The process for selection of bidders to be invited to tender is set out in the Selection Questionnaire and procurement documents.
- (e) The award process may be terminated or suspended at any time without cost or

liability to Docklands Light Railway Limited, TfL or any other party.

(f) Neither Docklands Light Railway Limited nor TfL binds itself to enter into any contract arising out of the procedures envisaged by this notice. No contractual rights express or implied arise out of this notice or the procedures envisaged by it.

(g) Docklands Light Railway Limited reserves the right to vary the procedure relating to the conduct of the award process and to require further information from respondents.

(h) Potential bidders shall be solely responsible for any costs which they incur as a result of responding to this notice and participating in any aspect of the procurement process described in this contract notice.

(i) The conduct of this procurement is governed by Regulation 1370/2007 on public passenger transport services by rail and by road as amended by Regulation (EC) No 1370/2007 (Public Service Obligations in Transport) (Amendment) (EU Exit) Regulations 2020 (Regulation 1370/2007). The new franchise agreement is being awarded in accordance with Article 5(3) of Regulation 1370/2007.

(j) Instructions of accessing SAP Ariba and Procurement Documents

Prospective respondents can access the procurement documents via the SAP Ariba platform following the steps set out below.

Once the prospective respondents have been granted access to SAP Ariba, they will be able to access the Selection Questionnaire, the data room and other procurement documents.

To access the procurement documents on SAP Ariba, prospective respondents should:

- Step 1: Visit the SAP Ariba platform using the following link  
<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUYr9&dard=1&ncdc=1>

- Step 2:

- o If new to SAP Ariba, click 'Register Now' and create a standard SAP Ariba account by providing the requested company and administrator information and providing a password which contains a capital letter, a number and a special character; or

- o If already an account holder on SAP Ariba, log in using your log in details. Those who are already registered as a TfL Supplier on SAP Ariba, will still need to follow Step 5 below in order to be added as a participant.

Please note, if new to SAP Ariba, the SAP Ariba platform may ask you to review and check for duplicate accounts that others in your business may have set up previously. If there are duplicate accounts, either contact the relevant account administrator using the SAP Ariba functionality or if you require a separate account for access to TfL procurements then please select 'back' and select 'continue account creation'.

- Step 3: Confirm your email address once the confirmation email has been sent.
- Step 4: Confirm in the SAP Ariba platform what type of goods /services you supply.
- Step 5: Send an email to [Tflrailprocurements@tfl.gov.uk](mailto:Tflrailprocurements@tfl.gov.uk) with the information from Steps 2 to 4 including your Business Network ID and the respondent's company name, username and administrator email.
- Step 6: Use the bespoke link in the response email from DLRL to access SAP Ariba.
- Step 7: When you have access to the procurement's main home page on SAP Ariba SAP Ariba, click on the 'Intend to Participate' button icon in order to fully register against the contract opportunity.
- Step 8: In the main menu bar at the left of the website click the 'All Content' tab and click through onto item 1 (DLR Re-franchise Selection Questionnaire (SQ) Main Body), item 1.2 ('DLR SQ Request for Information (RFI) Log.docx) and items 2 to 8 which attach the Selection Questionnaire templates the prospective respondents will need to fill out in order to submit a response. Prospective respondents must follow the instructions in the Selection Questionnaire when completing and submitting the response to the Selection Questionnaire.
- Step 9: Prospective respondents can access the data room containing supplementary materials relating to the procurement through the data room link included in the email from DLRL (and by following the instructions in the instruction document sent to the respondent by email) which will be sent following the Respondent's email request to access SAP Ariba as set out in Step 5.

(k) Tenders or requests to participate must be sent electronically to the SAP Ariba platform in accordance with the instructions set out in VI.3 and the Selection Questionnaire.

**\*\*NOTE:** If a prospective respondent has any problems accessing the data room or SAP Ariba, please contact TfL via the details below:

[Tflrailprocurements@tfl.gov.uk](mailto:Tflrailprocurements@tfl.gov.uk)

#### **VI.4) Procedures for review**

**VI.4.1) Review body**

The Royal Courts of Justice on the Strand

London

Country

United Kingdom